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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,579	03/08/2002	Matthew Darwin	551P09US-1	1107

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EXAMINER
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ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 04/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/092,579	<b>Applicant(s)</b> DARWIN ET AL.	
	<b>Examiner</b> Shawki S Ismail	<b>Art Unit</b> 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 March 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☒ Claim(s) 7 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-26 are presented for examination.

References in applicant's IDS form 1449 have been considered.

### **Claim Objection**

2. Claims 7 and 21 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 7 is the same as claim 6 and claim 21 is the same as claim 15.

### **Specification**

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Claim 13 recites "determining the remaining path to be traversed...", there is no mention in the specification as to determining a remaining path to be traversed for a given proxy.

Claims 15 and 21 both recite "creating a communication channel between proxies", there is no mention or teaching in the specification as to creating a communication channel between proxies.

### **Claim Rejections - 35 USC § 112**

Claims 1, 3, 5, 11, 12, 13, 15, 16 and 18-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the path" in step (b) There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the client" in step (d) There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the native device". There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the location of a device". There is insufficient antecedent basis for this limitation in the claim.

There is insufficient antecedent basis for limitations found in other claims as well such as claims 5, 11, 12, 13, 15, 16 and 18-26.

### **Claim Rejections - 35 USC §102**

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2155

5. Claims 1-7, 12-24, and 29-34, are rejected under 35 U.S.C. 102(b) as being anticipated by **UK Patent Application GB 2330991A** (hereinafter 991 application).

6. As to claim 1, the 991 application teaches a method for providing a proxy service in a computer network, comprising the steps of:

(a) receiving a request to access a device (Page 2 lines 1-13, the proxy server receives a request from a requesting computer to access a recipient computer),

(b) determining the path to the device (Page 4, lines 17-25, data is communicated using a datagram which comprise a header portion which contain the IP address of the source and the destination of the datagram),

(c) ascertaining what firewall rules exist for that given path (Page 4, lines 27-33, each router (which provides firewall functions) in the computer network comprises a routing table 260, which controls the admission of datagrams from source IP addresses on a first sub-network to destination IP addresses on a second sub-network), and

(d) redirecting the client to the appropriate proxy, if any is needed, for that path (Page 2, lines 15-20, the data packets sent from a source to a destination are forwarded to the proxy server instead of the destination).

7. As to claim 2, the 991 application teaches the method of claim 1 wherein the ascertaining step comprises the step of using a network inventory to describe the devices that are to be considered by the proxy (Page 4, lines 27-33, the routing table contains a list of source and destination devices and whether the request is from the source to the destination is originating from inside the intranet or outside the intranet).

8. As to claim 3, the 991 application teaches the method of claim 1 wherein the ascertaining step comprises the step of using device attributes apart from the native device IP address to select the device (Page 4, lines 27-33, the routing table contains a list of source and destination devices and whether the request is from the source to the destination is originating from inside the intranet or outside the intranet).

9. As to claim 4, the 991 application teaches the method of claim 1 wherein the ascertaining step comprises the step of using an inventory of devices to distinguish devices that have IP numbering or network conflicts (Page 5, lines 13-37, the source and destination of the datagrams, if a criteria is not met in the routing table then it is denied access otherwise it passes).

10. As to claim 5, the 991 application teaches the method of claim 1 wherein the ascertaining step comprises the step of using physical topology information to determine the location of a device (Fig. 2, Fig. 4, Fig. 5, Page 5, lines 13-37).

11. As to claim 6, the 991 application teaches the method of claim 1 wherein the ascertaining step comprises the step of using physical topology information to determine and discriminate between non-routable networks with conflicting address information (Page 5, lines 13-37, the routing table restrict access to some datagrams and allows access to others depending on whether they satisfy certain criteria).

12. As to claim 7, it teaches the exact same limitation as claim 6; therefore, it is rejected under the same rationale.

13. As to claim 8, the 991 application teaches the method of claim 1 further including propagating path information to proxies (Page 5, lines 13-37, the path that the datagram

needs to traverse will be provided to the proxy server so that it will arrive at the proper destination).

14. As to claim 9, the 991 application teaches the method of claim 1 further including authenticating for the client (Page 6, lines 16-26).

15. As to claim 10, the 991 application teaches the method of claim 1 further including authenticating between proxies (Page 6, lines 16-26).

16. As to claim 11, the 991 application teaches the method of claim 1 further including informing the remote proxy server of the client address (Page 5, lines 13-37, the proxy server is given provided with the source and destination addresses).

17. As to claim 12, the 991 application teaches the method of claim 1 further including informing the remote proxy server of the destination address (Page 5, lines 13-37, the proxy server is given provided with the source and destination addresses).

18. As to claim 13, the 991 application teaches the method of claim 1 further including determining the remaining path to be traversed for a given proxy (see table on page 5, page 5, the type of request facilitate the type of processing and ultimately the path that needs to be taken to reach the destination).

19. As to claim 14, the 991 application teaches the method of claim 1 further including a means of making proxy paths recursive (see table on page 5, page 5, lines 13-37, if similar multiple requests arrive they will be processed in a similar manner according to the criteria in the table; thereby making the proxy paths recursive).

20. As to claim 15, the 991 application teaches the method of claim 1 further including creating a communications channel between proxies (Page 1, lines 18-25).

21. As to claim 16, the 991 application teaches the method of claim 1 further including having an HTTP protocol request go from the client to the destination (see table on page 5 and page 5, lines 13-37).

22. As to claim 17, the 991 application teaches the method of claim 1 further including having an HTTP protocol response go from the destination to the client (see table on page 5 and page 5, lines 13-37).

23. As to claim 18, the 991 application teaches the method of claim 1 wherein when the service is performed, appear to the destination as coming from the source (Page 6, lines 28-33, the user terminal receives the datagrams with the fields marked as if they were sent directly by the remote server and not through the proxy server).

24. As to claim 19, the 991 application teaches the method of claim 16 further including maintaining authentication between client and proxy after the HTTP request has completed (Page 6, lines 28-33, In one part embodies the proxy server is integral to the router; thereby allowing the connection to remain between the proxy server and the user terminal over multiple TCP requests).

25. As to claim 20, the 991 application teaches the method of claim 17 further including maintaining authentication between proxies after the HTTP request has completed (Page 6, lines 28-33, In one part embodies the proxy server is integral to the router; thereby allowing the connection to remain between the proxy server and the user terminal over multiple TCP requests).



26. As to claim 21, the 991 application teaches the method of claim 1 further including creating a communications channel between proxies (see Fig. 1, page 3, lines 25-41).

27. As to claim 22, it teaches the exact same limitation as claim 15; therefore, it is rejected under the same rationale.

28. As to claim 23, the 991 application teaches the method of claim 1 further including having a TCP response go from the destination to the client (see table on page 5, Page 5, lines 13-37).

29. As to claim 24, it teaches the exact same limitation as claim 18; therefore, it is rejected under the same rationale.

30. As to claim 25, the 991 application teaches the method of claim 22 further including maintaining authentication between client and proxy after the TCP request has completed (Page 6, lines 28-33, In one part embodies the proxy server is integral to the router; thereby allowing the connection to remain between the proxy server and the user terminal over multiple TCP requests).

31. As to claim 26, the 991 application teaches the method of claim 23 further including maintaining authentication between proxies after the TCP request has completed (Page 6, lines 28-33, In one part embodies the proxy server is integral to the router; thereby allowing the connection to remain between the proxy server and the user terminal over multiple TCP requests).

### **Conclusion**

32. The Prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Johnson et al., USPN 6,505,254 teaches a methods and apparatus for routing requests in a Network.
- b. Knauerhase et al., USPN 6,345,303 teaches a method and apparatus for enabling a device configured as a network proxy to be dynamically chained to a second network proxy.
- c. Baugher et al., USPN 6,101,549 relates to the routing of messages for third-party control of network services.
- d. Vaid et al., USPN 6,078,953 teaches a system and method for monitoring quality of service over a network

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Art Unit: 2155

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Shawki Ismail  
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April 12, 2005



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